

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

BEFORE THE
ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION)	DOCKET NO.
-vs-)	08-0618
MT. CARMEL PUBLIC UTILITY COMPANY)	
Reconciliation of revenues)	
collected under fuel adjustment)	
charges with actual costs)	
prudently incurred.)	

Springfield, Illinois
Wednesday, September 30, 2009

Met, pursuant to notice, at 10:00 a.m.

BEFORE:

MR. J. STEPHEN YODER, Administrative Law Judge

APPEARANCES:

ERIC BRAMLET
P.O. Box 278
Mt. Carmel, Illinois 62863

(Appearing on behalf of Mt. Carmel
Public Utility Company by phone.)

MICHAEL J. LANNON
160 N. LaSalle, Suite C-800
Chicago, Illinois 60601

(Appearing on behalf of Staff of the
Illinois Commerce Commission by phone.)

SULLIVAN REPORTING COMPANY, by
Darlene M. Niemeyer, Reporter
CSR #084-003677

1	<u>I N D E X</u>			
2	<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>
3	(None)			<u>RECROSS</u>
4				
5				
6				
7				
8				
9				
10				
11				
12				
13	<u>EXHIBITS</u>			
14			<u>MARKED</u>	<u>ADMITTED</u>
15	Mt. Carmel Exhibit 1.0		E-Docket	11
16	Mt. Carmel Exhibit 1.0R		E-Docket	11
	Mt. Carmel Exhibit 2.0		E-Docket	11
17	Barnhard Affidavit		E-Docket	11
18	ICC Staff Exhibit 1.0		E-Docket	13
19	ICC Staff Exhibit 2.0		E-Docket	13
	ICC Staff Exhibit 3.0		E-Docket	13
20	ICC Staff Exhibit 4.0		E-Docket	13
21				
22				

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

PROCEEDINGS

JUDGE YODER: By the authority vested in me by the Illinois Commerce Commission, I will now call Docket 08-0618. It is an action filed by the Illinois Commerce Commission on its own motion regarding Mt. Carmel Public Utility Company seeking reconciliation of revenues collected under fuel adjustment charges with actual costs prudently incurred.

Could I have the appearances for the record, please?

MR. BRAMLET: Your Honor, appearing on behalf of Mt. Carmel Public Utility Company, my name is Eric Bramlet, B-R-A-M-L-E-T. My mailing address is Post Office Box 278, Mt. Carmel, Illinois 62863. The telephone number is (618) 263-3502.

MR. LANNON: Appearing on behalf of the Staff of the Illinois Commerce Commission, Mike Lannon, 160 North LaSalle Street, Suite C-800, Chicago, Illinois 60601.

JUDGE YODER: Anyone else wishing to enter their appearance in this docket?

1 Let the record reflect no response.

2 It is my understanding the parties are
3 ready to proceed to hearing in this docket.

4 Is that correct, Mr. Bramlet?

5 MR. BRAMLET: That's correct, Your Honor.

6 JUDGE YODER: Mr. Lannon?

7 MR. LANNON: Yes, Your Honor, that's correct.

8 JUDGE YODER: Okay. Is there anything to
9 present on behalf of Mt. Carmel Public Utility,
10 Mr. Bramlet?

11 MR. BRAMLET: Your Honor, we have filed
12 testimony and submitted affidavits. Do you want us
13 to go ahead and present the exhibits in?

14 JUDGE YODER: Yes.

15 MR. BRAMLET: Okay. We would first call
16 Mr. Philip Barnhard as a witness.

17 JUDGE YODER: Well, you can, I think, just move
18 for the admission of his direct and rebuttal based on
19 the affidavit and the Exhibit 2, the notices, if you
20 want.

21 MR. BRAMLET: Okay. I wanted to make sure how
22 you wanted to proceed.

1 JUDGE YODER: That's fine.

2 MR. BRAMLET: Your Honor, we would move for
3 admission of the direct testimony of Philip Barnhard,
4 marked as Mt. Carmel Exhibit 1.0. The rebuttal
5 testimony of Mr. Barnhard, marked as Mt. Carmel
6 Exhibit 1.0R. And also from Mt. Carmel, Exhibit 2.0,
7 which is a group exhibit of the notices for
8 publication. I move those for admission.

9 JUDGE YODER: Okay. Also, his affidavit that
10 was filed on e-Docket?

11 MR. BRAMLET: And the affidavit, yes.

12 JUDGE YODER: Okay. Mr. Lannon, is there any
13 objection to the admission of Mt. Carmel Public
14 Utility Exhibit 1, the direct of Mr. Barnhard; 1.0R,
15 the rebuttal of Mr. Barnhard; Exhibit 2.0, the group
16 of notices, or Mr. Barnhard's affidavit?

17 MR. LANNON: No objection, Your Honor.

18 JUDGE YODER: Okay. With no objection, those
19 will be admitted into evidence in this docket.

20 (Whereupon Mt. Carmel Public
21 Utility Exhibits 1.0, 1.0R, 2.0
22 and Mr. Barnhard's affidavit

1 were admitted into evidence.)

2 JUDGE YODER: Anything further to present on

3 behalf of Mt. Carmel Public Utility?

4 MR. BRAMLET: No, Your Honor.

5 JUDGE YODER: Okay. Anything to present in

6 this docket on behalf of Staff?

7 MR. LANNON: Yes, Your Honor. Staff requests

8 that the following four Staff exhibits be moved into

9 the record of evidence. ICC Staff Exhibit 1.0 is the

10 direct testimony of Mike Ostrander.

11 ICC Staff Exhibit 2.0 is the direct

12 testimony of Mona Elsaid.

13 ICC Staff Exhibit 3.0 is the affidavit

14 of Mike Ostrander, supporting his direct testimony.

15 And ICC Staff Exhibit 4.0 is the

16 affidavit of Mona Elsaid, supporting her direct

17 testimony.

18 JUDGE YODER: All right. Mr. Bramlet, any

19 objection to the admission of those exhibits into the

20 evidence in this docket?

21 MR. BRAMLET: No, Your Honor.

22 JUDGE YODER: All right, then. Staff

1 Exhibit 1, the direct testimony of Mr. Ostrander; the
2 Staff Exhibit 2, the direct testimony of Mona Elsaid;
3 Exhibit 3, the affidavit of Mr. Ostrander; and
4 Exhibit 4, the affidavit of Mona Elsaid will be
5 admitted into evidence, then, in this docket.

6 (Whereupon ICC Staff Exhibits
7 1.0, 2.0, 3.0 and 4.0 were
8 admitted into evidence.)

9 MR. LANNON: Thank you, Your Honor.

10 JUDGE YODER: Nothing further to present on
11 behalf of Staff?

12 MR. LANNON: That's it, Your Honor.

13 JUDGE YODER: Okay, then. I will have the
14 record marked heard and taken.

15 There being no contested issues, it is
16 my understanding that Mt. Carmel has indicated they
17 would be willing to prepare a draft order and present
18 to Staff for any of their corrections or changes; is
19 that correct?

20 MR. BRAMLET: Yes, Your Honor.

21 JUDGE YODER: Okay.

22 MR. BRAMLET: As far as dates and timelines for

1 that, could we have about 30 days?

2 JUDGE YODER: I don't see a problem with that.

3 There is no deadline on this one. It is 618.

4 Obviously, we just have to have it done by the end of
5 the year. So I don't think 30 days is a problem.

6 MR. BRAMLET: All right.

7 JUDGE YODER: Okay. There being nothing else,
8 I am ready to call 0629.

9 (HEARD AND TAKEN.)

10

11

12

13

14

15

16

17

18

19

20

21

22